

Reply to this email directly to respond to J. Michael Halwig MD
(JMHalwigMD@aol.com).

VIEW ALL RESPONSES

support@strikingly.com

From: jmhalwigmd@aol.com
Sent: Tuesday, January 10, 2017 3:44 PM
To: Josey, J. Rene
Subject: Re: DIUC - Driftwood Cottage Ln

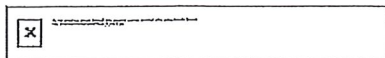
Yes, go ahead. It appears to be their responsibility and not ours to provide the service. That is pretty much correct except the letter from the office of Regulatory Staff dated 12/2/16 which you should have a copy of states PSC Water Regulation 103-755 that they may require the us to bear the cost of temporary service but they are responsible for sewer but Wastewater Regulation 103-555 (e) states they are responsible for providing the utility service pipe.

-----Original Message-----

From: Josey, J. Rene <JJosey@TurnerPadget.com>
To: jmhalwigmd <jmhalwigmd@aol.com>
Cc: Josey, J. Rene <JJosey@TurnerPadget.com>
Sent: Tue, Jan 10, 2017 3:07 pm
Subject: RE: DIUC - Driftwood Cottage Ln

I got the 12/10 letter yesterday but am not finding where I received it previously. He did not send a copy of that regulation but I have pulled and attached a copy.

J. Rene Josey
 Attorney
 PO Box 5478 | Florence, SC 29502
 319 South Irby Street | Florence, SC 29501
 843-656-4451 | Fax 843-413-5818
jjosey@turnerpadget.com
[Bio](#) | [vCard](#) | [Location](#)



From: jmhalwigmd@aol.com [mailto:jmhalwigmd@aol.com]
Sent: Tuesday, January 10, 2017 1:33 PM
To: Josey, J. Rene
Subject: Fwd: DIUC - Driftwood Cottage Ln

Did you get this 12/10 letter her is referring to?

-----Original Message-----

From: Mike Guastella <mig@guastella.com>
To: JJosey <JJosey@turnerpadget.com>
Cc: jmhalwigmd <jmhalwigmd@aol.com>

Sent: Mon, Jan 9, 2017 1:43 pm
Subject: DIUC - Driftwood Cottage Ln

Mr. J. Rene Josey,

Please see attachments.

Regards,

Mike Guastella

Vice President-Operations
Guastella Associates, LLC
725 N Hwy A1A, Suite B103
Jupiter, FL 33477
Office: 617-423-3030
Cell: 775-267-7035
Fax: 617-423-2929

From: Josey, J. Rene
Sent: Wednesday, January 11, 2017 1:19 PM
To: Mike Guastella
Cc: Crow, Ken (kcrow@centurygolf.com); Josey, J. Rene
Subject: RE: DIUC - Driftwood Cottage Ln
Attachments: doc02782620170111124538.pdf

Mr. Guastella – please see the attached letter. Thank you.

Turner | Padget

J. Rene Josey
Attorney
PO Box 5478 | Florence, SC 29502
319 South Irby Street | Florence, SC 29501
843-656-4451 | Fax 843-413-5818
jjosey@turnerpadget.com
[Bio](#) | [vCard](#) | [Location](#)

Turner | Padget

REPLY TO:

J. René Josey

E-Mail: RJosey@TurnerPadget.com
Writer's Direct Dial: (843) 656-4451
Writer's Direct Fax: (843) 413-5818

January 11, 2017

Michael J. Guastella
Vice President of Operations
Guastella Associates, LLC
725 North Highway A1A
Suite B103
Jupiter, FL 33477

Re: Water and Sewer Utility Service
Driftwood Cottage Lane, Daufuskie Island, SC
TP File: 13826.101

Dear Mr. Guastella:

I am in receipt of your e-mail from Monday (January 9th) as well as your correspondence of last month regarding the above-referenced matter.

The Halwigs are, of course, aware that there may be some costs associated with restoration of water and sewer service to their Daufuskie home, but the costs can be sorted out later; the emergent need is to actually restore the service so that the home can be used. Article 5 of Section 103 of the South Carolina regulations makes it clear that the utility -- that is granted exclusivity by the Public Service Commission -- has a primary duty to maintain and restore services for the area to which they have been granted such exclusive rights. These obligations are found in Regulation 103-540 (duty to maintain a safe operable and efficient system up to the customer's connections), Regulation 103-564 (duty to maintain system in good state of repair and replace broken, damaged or deteriorated parts which are no longer serviceable), and Section 103-571 (duty to make reasonable efforts to avoid interruption of service).

Of course, we understand that your restoration work must comply with applicable regulations but such work needs to proceed with all deliberate haste. Your utility was aware of the risks of beach erosion when it chose to do service and apply for its permits on this barrier island.

TPGL 7490422v1

Turner | Padgett

Michael J. Guastella
January 11, 2017
Page 2

In any event, my purpose in writing is not to argue about the cost responsibility for restoring service to the Halwigs' home but rather to get that restoration started. I know we both have been in touch with Ken Crowe and the golf course seems prepared to cooperate with an effort to restore utility service as soon as possible. A route has been identified and interior easements exist to get to that route.

I am reminded of the Abbot and Costello routine of Who's on First. Frankly, the Halwigs do not care who is on first, but they do care that someone starts the restoration process immediately. If I need to interact with a particular contractor or regulator, please let me know.

Sincerely,

TURNER PADGETT GRAHAM & LANEY P.A.

J. René Josey

JRJ:mjs

cc: Ken Crowe
Dr. Michael Halwig

From: jmhalwigmd@aol.com
Sent: Wednesday, January 18, 2017 2:39 PM
To: ccampbe@regstaff.sc.gov
Cc: Josey, J. Rene
Subject: Fwd: DIUC - Driftwood Cottage Ln
Attachments: LAB II water-sewer documents.pdf

Chad,

Per our phone call this morning I have provided a summary of our situation below and have attached the relevant documents.

FACT PATTERN-Driftwood Cottage Lane continued lack of water/sewer service as of 1/18/17

12/9/16-we notified Guastella, DIUC by e-mail (A attached) that the Owners of Melrose had given verbal approval for relocation of the water/sewer service across the golf course from the existing utility easement but were requesting a written request form DIUC for this.

-not addressed by DIUC to date

12/13/16-we renotified Guastella, DIUC of this by e-mail (B, B1 attached) and also attached a draft letter from them to accomplish the written request for relocation of service across the golf course.

-not addressed by DIUC to date

12/20/16-our attorney J. Rene Josey sent Guastella, DIUC a letter by fax requesting rerouting of utilities (1 attached)

1/9/17-we received a letter by email from Guastella, DIUC (2 attached) which also had an attachment of a letter dated 12/5/17 (3 attached) that was stated mailed but not received by 1/10/17 by our attorney J. Josey

These letters stated-

-DIUC "will continue...to maintain and provide service ... including the Halwig property"

-This is incorrect as we have had no service since 10/8/16 and if the service was turned on it would be spilling raw sewage into the Atlantic Ocean

DIUC "will continue to provide utility service as originally designed and in compliance with all regulatory requirements."

-This is incorrect as the system was pulled apart during Hurricane Matthew and not functional

DIUC stated that it was the resident's responsibility "for an alternative extension... subject to our approval of design and construction"

-This is incorrect per the ORS letter dated 12/2/16 (4)

We are again requesting your assistance in the reestablishment of the water/sewer service to Driftwood Cottage Lane as outlined by your agency's letter dated 12/2/16 as soon as possible as we continue to suffer financial damages due to continued lack of service..

MH

-----Original Message-----

From: jmhalwigmd <jmhalwigmd@aol.com>

To: ccampbe <ccampbe@regstaff.sc.gov>
Sent: Wed, Jan 11, 2017 12:55 pm
Subject: Fwd: DIUC - Driftwood Cottage Ln

We have a response from DIUC regarding restoration of water/sewer. These attached letters from Mike Guastella do not appear to follow all of the regulations you outlined in your letter of 12/2/16

-----Original Message-----

From: Mike Guastella <mjg@guastella.com>
To: JJosey <JJosey@turnerpadget.com>
Cc: jmhalwigmd <jmhalwigmd@aol.com>
Sent: Mon, Jan 9, 2017 1:43 pm
Subject: DIUC - Driftwood Cottage Ln

Mr. J. Rene Josey,

Please see attachments.

Regards,

Mike Guastella

Vice President-Operations
Guastella Associates, LLC
725 N Hwy A1A, Suite B103
Jupiter, FL 33477
Office: 617-423-3030
Cell: 775-267-7035
Fax:617-423-2929

1/18/2017

Re: J. Michael Halwig MD commented on your site!

From: jmhalwigmd <jmhalwigmd@aol.com>
 To: jmhalwigmd <jmhalwigmd@aol.com>
 Cc: jjozey <jjozey@turnerpadget.com>; bev.noller <bev.noller@gmail.com>
 Subject: Re: J. Michael Halwig MD commented on your site!
 Date: Tue, Jan 10, 2017 10:58 am

Mike,

C) You did not directly respond to the issues raised in the email below from 12/13/16 and 12/8/13 in your email of yesterday 1/9/17. We have provided you with a proposed service relocation across the 17th hole from the existing utility easement to Driftwood Cottage Lane. Is that acceptable to DIUC?

Can you provide us with contents of the regulation 103-502.3 you are referring to in your email?

Who would you recommend as qualified contractors to do the work?

Mike Halwig

—Original Message—

From: jmhalwigmd <jmhalwigmd@aol.com>
 To: bev.noller <bev.noller@gmail.com>
 Sent: Mon, Dec 19, 2016 7:46 am
 Subject: Fwd: J. Michael Halwig MD commented on your site!

—Original Message—

3) From: jmhalwigmd <jmhalwigmd@aol.com>
 To: admin <admin@quastella.com>
 Cc: bev.noller <bev.noller@gmail.com>; jjozey <jjozey@turnerpadget.com>
 Sent: Tue, Dec 13, 2016 11:03 am
 Subject: Re: J. Michael Halwig MD commented on your site!

I have been told by Ken Crow, from Century Golf which is the company that manages Melrose for the Pelorus Group, that a written request asking to relocate the Driftwood Cottage Lane water/sewer service across the golf course would help accelerate the process of their approval of an easement to allow for this.

I have attached a draft letter that you may want to use.

I would appreciate it if you would email or mail it or whatever you wish draft to JT Bramlette, the owner of Melrose, and Ken Crow, the manager of Melrose-

jt@pelorusmail.com

-kcrow@centurygolf.com

J T Bramlette
 222 Main St
 Suite 1910
 Salt Lake City, UT 84101

A have also attached the appropriate documents regarding this.

Time is of the essence. We and the Nollers have not had access to our homes since October 8th due to the lack of water/sewer service. We have had to cancel 11 days of rentals for a total of \$8736.36 in lost rental income and have had to reschedule another 11 days since the Hurricane. We lost 3 days of planned personal use and will be losing an additional 7 days over Christmas to New Years. I am sure the Nollers have also lost significant use of their home also.

I would appreciate your prompt attention to this matter. Our next step will be to file a formal complaint with the SC Public Service Commission if service is not restored within the next 2 weeks.

Complainants 00076

1/3

1/18/2017

Re: J. Michael Halwig MD commented on your site!

I am also forwarding this to our attorney J. Rene Josey of the firm Turner Padgett.

MH

—Original Message—

From: Guastella Admin <admin@guastella.com>

To: JMHalwigMD <JMHalwigMD@aol.com>

Sent: Fri, Dec 9, 2016 11:51 am

Subject: Re: J. Michael Halwig MD commented on your site!

Mr. Halwig,

I have forwarded your message, as requested. We will also accept any written documentation that you would like to provide.

Sincerely,

Carolyn Carleton

Daufuskie Island Utility Company, Inc

PO BOX 360

Northborough, MA 01532

617-423-3030

****PLEASE NOTE OUR NEW MAILING ADDRESS**

****You can now pay online at www.DaufuskieIslandUtility.com**

On Dec 8, 2016, at 2:47 PM, J. Michael Halwig MD <support@strikingly.com> wrote:

(A) J. Michael Halwig MD commented on your site
(<http://www.daufuskieislandutility.com/>):

I have a verbal approval from JT Bramlett, Pelorus to allow the water/sewer to go across the 17th hole from the existing utility easement to Driftwood Cottage Lane and expect to have written approval by early next week. What needs to be done to relocate the service ASAP? We have been without service for 2 months. The ORS has now reviewed your "plan". Please forward this email directly to Mike Gustella.

Name: J. Michael Halwig MD

Email: JMHalwigMD@aol.com

*Reply to this email directly to respond to J. Michael Halwig MD
(JMHalwigMD@aol.com).*

Complainants 00077

2/3

1/18/2017

Re: J. Michael Halwig MD commented on your site!

VIEW ALL RESPONSES

support@strikingly.com

(B1)

We authorize the Daufuskie Island Utility Company and its designated agents to access the existing utility easement between lot 23 (80 Martinangel Lane) and lot 24 (78 Martinangel Lane) (See attached plat dated 11/6/86 (document 1) with the specifics of the easement agreement dated 11/30/87 (document 2) and an area across the 17th hole ((to be defined by survey to define a new utility easement (document 3)) for the purpose of relocating the water/sewer service which was washed out by Hurricane Matthew to the residents of Driftwood Cottage Lane.

The Utility Company and its designated agents will be responsible for obtaining the necessary permits, the necessary surveys and the necessary paperwork to create the new utility easement. They will also be responsible for all construction costs and will return the construction area across the course to its prior state.

Signed

Dated

Turner | Padget

REPLY TO:

① J. René Josey

E-Mail: RJosey@TurnerPadget.com
 Writer's Direct Dial: (843) 656-4451
 Writer's Direct Fax: (843) 413-5818

December 20, 2016

Via Facsimile (admin@guastella.com)

Michael J. Guastella
 Vice President and Manager
 Daufuskie Island Utility Company
 803 Haig Point Road
 Daufuskie Island, SC 29915

Re: Utility Service to Homes on Driftwood Cottage Lane, Daufuskie Island
 TP File No.: 13826.101

Dear Mr. Guastella:

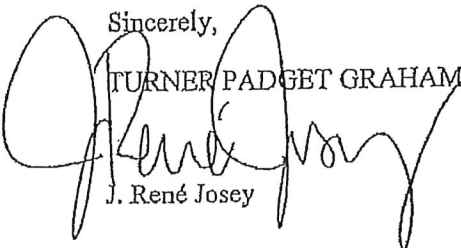
The above-referenced matter is urgent as property rental and usage is being prevented. As you may be aware, I represent Dr. and Mrs. Michael Halwig with regard to their property issues at their home at Driftwood Cottage Lane on Daufuskie Island.

As I am sure you are aware, utility service there has recently ended as a result of erosion. Nevertheless, I am sure you are also aware that efforts are being made to protect and save these homes. In that regard, I have been working with Ken Crow of Century Golf with regard to physical access for visitors to these homes. I have also discussed with him utility access through a more reliable route. In that regard, I understand that the golf course is prepared to work with your company to provide utility service to these homes as soon as possible.

In that regard, I must ask that you act with all deliberate speed to initiate the rerouting of water and sewer utilities to these homes; in particular, the Halwig and Noller homes which I understand remain under reliable electrical utility service. In order that we may avoid escalation of this matter to additional parties/regulators, I would ask that you respond with your commitment within 48 hours of receipt of this letter. I appreciate your attention to the matter.

Sincerely,

TURNER PADGET GRAHAM & LANEY P.A.


 J. René Josey

JRJ:mjs

Cc: Mike Halwig (via email)
 Ken Crow (via email)

TURNER PADGET GRAHAM & LANEY P.A.
 Columbia | Charleston | Greenville | Florence | Myrtle Beach

www.turnerpadget.com P 843-662-9008 F 843-667-0828
 319 South Irby St. (29501) | P.O. Box 5478, Florence, SC 29502

Complainants 00080

DAUFUSKIE ISLAND UTILITY COMPANY, INC.

PO BOX 360

Northborough, MA 01532

617-423-7878

January 9, 2017

BY EMAIL

Mr. J. Rene Josey, Esq.
Turner | Padgett
319 South Irby St.
P.O. Box 5476
Florence SC 29502

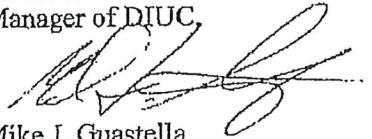
Re: Utility service to homes on
Driftwood Cottage Lane
TPGL File No.: 13926.101

Dear Mr. Josey,

This area is a critical coastal zone and falls under strict regulatory guidelines for any and all construction. Neither DIUC nor anyone else has the authority to construct or install new facilities in this area without regulatory approval. DIUC provided you with a letter dated December 10, 2015 addressing the possibility of new facilities, to which we have not yet had a response.

DIUC maintains its position, in accordance with the referenced Regulation 103-502.3, stated in our December 10, 2015 letter, a copy of which is attached for your convenience.

GUASTELLA ASSOCIATES, LLC
Manager of DIUC


Mike J. Guastella
Vice President- Operations

Cc: Mike Halwig

DAUFUSKIE ISLAND UTILITY COMPANY, INC.
c/o GUASTELLA ASSOCIATES, LLC
6 Beacon Street, Suite 200
Boston, MA 02108
617-423-7878

3

December 10, 2015

Mr. J. Rene Josey, Esq.
Turner | Padgett
319 South Irby St.
P.O. Box 5476
Florence SC 29502

Re: Michael and Nancy Halwig
46 Driftwood Cottage Lane
TPGL File No.: 13926.101

Dear Mr. Josey:

Daufuskie Island Utility Company (Company) will continue to preserve, maintain and provide service to all customers within its service area, including service to the Halwig property. The Driftwood service area has been and continues to be monitored daily regarding the erosion problem. In accordance with conversations with Mr. Crow and members of the Office of Regulatory Staff of South Carolina, we will continue to provide utility service as originally designed and in compliance with all regulatory requirements.

It is, however, the Halwig's responsibility for an alternative extension of mains and facilities to provide water and sewer service to their property, subject to our approval of the design and construction. The cost of any alternative would be the responsibility of the Halwigs, because it is not appropriate for the Company to incur such costs which would then be passed on to its other customers through the rate setting process. An alternative extension will be considered under the provisions of a 'Customer Main Extension Fee' contract, Reg. 103-502.3, "A fee paid by a customer under a contract entered into by and between the utility and its customer providing terms for the extension of the utility's mains to service the customer".

We would, of course, work with the Halwigs' contractor to accomplish an alternative extension from another location of our existing distribution system.

GUASTELLA ASSOCIATES, LLC
Manager of DIUC



Mike J. Guastella
Vice President-Operations

Complainants 00082

(4)
C. DUKI'S SCOTT
EXECUTIVE DIRECTOR

1401 Main Street, Suite 900
Columbia, SC 29201



NANETTE S. EDWARDS
DEPUTY EXECUTIVE DIRECTOR

Toll Free: 1-800-922-1531
www.regulatorystaff.sc.gov

April B. Sharpe
Manager of Consumer Services

December 2, 2016

Dr. John Halwig
305 10th Street NE
Atlanta, Georgia 30309

RE: ORS File 2016-W-1682

Dear Dr. Halwig:

This letter is in response to your complaint filed at the Office of Regulatory Staff ("ORS") regarding Daufuskie Island Utility Company ("DIUC" or "Company"). In your complaint you state your property at 46 Driftwood Cottage Lane, Daufuskie Island, S.C. has been without water and sewer service since October 8, 2016 due to Hurricane Matthew. You are requesting DIUC provide a specific date that water and sewer service will be restored to the property.

The ORS contacted DIUC for assistance to investigate and respond to your complaint. According to DIUC, due to Hurricane Matthew, severe erosion occurred causing a wash out of the road and surrounding areas where the water and sewer mains were located. The water and sewer mains were destroyed and rendered unusable. DIUC states that the road and surrounding area will need to be restored and adequately protected from future erosion before the water and sewer mains can be reconstructed to provide service to this area.

DIUC states they are currently exploring other means of access to serve your property but have not obtained rights of way necessary to construct water and sewer infrastructure to serve your property. The Company states a specific date for restoration of water and sewer service to your property cannot be provided at this time.

ORS conducted a conference call with a representative from DIUC on December 1, 2016 and advised the Company of the following Public Service Commission ("PSC") Rules and Regulations:

PSC Wastewater and Water Regulations 103-540 and 103-740 state *"Each utility, unless specifically relieved in any case by the commission from such obligation, shall operate*

and maintain in safe, efficient and proper conditions of all of its facilities and equipment used in connection with the services it provides to any customer up to and including the point of delivery from systems or facilities owned by the customer."

PSC Wastewater Regulation 103-555 (e), states *"The utility shall be responsible for providing the location for the connection of the customer's service pipe to the utility's service pipe or the utility's main, whichever is applicable, at the utility's expense, and at no expense to the customer."*

PSC Wastewater Regulation 103-570 (B) states *"It shall be the obligation of each utility dependent upon its ability to procure and retain suitable facilities and rights for the construction and maintenance of the necessary system to furnish adequate sewerage service to customers in the area or territory in which it operates."*

PSC Water Regulation 103-755, *"When the utility renders temporary service to a customer, it may require that the customer bear all the cost of installing and removing the service in excess of any salvage realized."*

Based on ORS's review, the Public Service Commission of South Carolina's rules and regulations do not identify a specific time period for water and sewer service restoration. ORS will maintain contact with DIUC in regard to their efforts to restore water and sewer service to your property.

If you are not satisfied with the response from the ORS's investigation, you have the right to file your complaint with the PSC. To file a complaint with the PSC, you must complete the PSC's complaint form available online at www.psc.sc.gov. The completed form must then be mailed to the PSC at 101 Executive Center Drive, Suite 100, Columbia, S.C. 29210

If you have any questions, please contact me at 1-800-922-1531, extension 75194, or via e-mail at ccampbe@regstaff.sc.gov.

Sincerely,



Chad Campbell
Consumer Services
Office of Regulatory Staff

cc: Mike Guastella, Guastella and Associates (VIA E-MAIL)
Dawn Hipp, ORS Director, Utility Rates and Services
Sarah Johnson, ORS, Director, Utility Services
Willie Morgan, ORS, Director, Utility Rates
April Sharpe, ORS, Manager, Consumer Services

DAUFUSKIE ISLAND UTILITY COMPANY, INC.

PO BOX 360

Northborough, MA 01532

617-423-7878

January 27, 2017

BY EMAIL

Mr. J. Rene Josey, Esq.
Turner | Padgett
319 South Irby St.
P.O. Box 5476
Florence SC 29502

Re: Utility service to homes on
Driftwood Cottage Lane
TPGL File No.: 13926.101

Dear Mr. Josey,

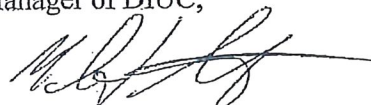
This letter is in response to the continued request for restoration of water and sewer services to 46 and 36 Driftwood Cottage Lane, after hurricane Matthew in October 2016 destroyed a section of the road which contained DIUC water and sewer facilities.

According to an email from Mrs. Julie Dilullo, President of the Melrose Property Owners Association, Driftwood Cottage Lane will not be restored. To date, this area of road has now been destroyed twice from extensive erosion through tidal and storm surges. DIUC no longer has a location in which to install water and sewer facilities to these customers.

We recommend that the customers of 36 and 46 Driftwood Cottage Lane seek regulatory approval to construct new customer service lines that extend to within DIUC's existing right of way along Martinangel Lane. We will then be willing to provide utility services through a new tie in at that location. The customers must provide DIUC with documentation from all relevant regulatory agencies allowing this installation and occupancy of their respective residences prior to the new service being initiated.

We suggest that the customers consider using the professional engineering services of Thomas & Hutton and the construction services of Terry Lee Construction, who have extensive knowledge and experience of utility construction on Daufuskie Island. DIUC has a continuing working relationship with both companies and Terry Lee is president of DIUC, so the customers are certainly free to make any other arrangements.

GUASTELLA ASSOCIATES, LLC
Manager of DIUC,



Mike J. Guastella
Vice President- Operations

Complainants 00085

Cc; Mike Halwig
Mr. & Mrs. Noller
JT Bramlette
Chad Campbell
Ken Crow

DAUFUSKIE ISLAND UTILITY COMPANY, INC.

PO BOX 360

Northborough, MA 01532

617-423-7878

April 25, 2017

BY EMAIL

Mr. Fred Sororian
Thomas & Hutton
50 Park of Commerce Way
Savannah, GA 31405

Re: Letter of intent
New customer service lines
Driftwood Cottage Ln

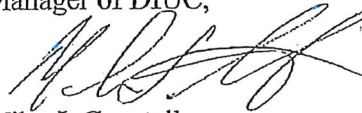
Dear Mr. Sororian,

In accordance with plans submitted by Thomas & Hutton, Daufuskie Island Utility Company (DIUC) is willing to provide water and sewer service for the proposed new customer services lines, servicing 36 & 46 Driftwood Cottage Ln.

The customers must submit written request for service. Customers must provide DIUC with documentation from all relevant regulatory agencies allowing this installation and occupancy of their respective residences prior to the new service being initiated. Once documentation previously stated and service request have been received, DIUC will prepare an agreement under which service will be provided. In general, the agreement will be designed to assure that DIUC's other customers are not impacted through the rate setting process. The customers should anticipate that the agreement will contain provisions pertaining to maintenance, ownership of facilities, easements or rights of way and cost responsibilities. This agreement will also be subject to any and all environmental guidelines, due to the proposed construction being within a sensitive coastal region.

Once the customers and DIUC execute the agreement, it will be subject to approvals of the Public Service Commission, the Office of Regulatory Staff and Department of Health and Environmental Control.

GUASTELLA ASSOCIATES, LLC
Manager of DIUC,



Mike J. Guastella
Vice President- Operations



Daufuskie Island - Melrose - Driftwood - Water and Sewer Relocation

August 25, 2017

PROPOSAL

Description

General Conditions

General Conditions, Mobilization, Barging, Survey and Layout

1 LS

Sub Total, General Conditions \$34,875.00

Clearing and Demolition

Clear & Grub Utility Easement

0.50 AC

Sawcut Concrete Sidewalk

60 LF

Demo Sidewalk

12 SY

Sub Total, Clearing and Demolition \$8,122.00

Earthwork and Grading

Borrow

40 CY

Re Grade Existing Dirt Road

272 SY

Grade Common Areas

100 SY

Proof Roll

1 LS

Sub Total, Earthwork and Grading \$2,454.70

Concrete Items

Concrete Sidewalk

12 SY

Sub Total, Concrete Items \$930.00

Sanitary Sewer

Plug /Cap 8" Sewer Line

2 EA

Plug/Abandon 4" Sewer SVC Lines

2 EA

Sub Total, Sanitary Sewer \$8,124.60

Force Main System

Force main Connection to Ex. Manhole

1 EA

Install New Grinder PS's/Including Electrical Work (P/S Purchased by Owner)

1 EA

Reconnect 4" Sewer SVC Lines to New PS's

2 EA

Directional Drill 1.50" HDPE Force main Under Ex Drive

2 EA

1.25" HDPE Force main

20 LF

1.50" HDPE Force main

375 LF

Fittings

550 LF

Testing

1 LS

1 LS

Sub Total, Sanitary Sewer \$39,134.36

DescriptionWater

8"x8" TS & V Connection			
Open Cut and Restore Pavement at Connection	1	EA	
Abandon 8" Water Main and Cap	1	LS	
Tie in to Existing 8" Water Main	1	EA	
Demo 2" Service Line	1	EA	
Demo 2" Valve and Meter Box	41	LF	
8" PVC Water Main	1	EA	
Fittings & Misc	548	LF	
Testing & Chlorination	1	LS	
	1	LS	
			<u>Sub Total, Water</u> <u>\$33,748.52</u>

Erosion Control

Off Site sediment tracking	1	LS	
Silt Fence - Type A	705	LF	
Grassing	2,485	SY	
			<u>Sub Total, Erosion Control</u> <u>\$5,866.70</u>

TOTAL BASE BID: \$133,255.88

Please feel free to contact us with any questions:

Terry Lee Contracting
 9688 Speedway Blvd.
 PO Box 1788
 Hardeeville, SC 29927
 (P) - 843-784-5288



September 05, 2017

MICHAEL HALWIG
305 TENTH STREET NE
ATLANTA, GA 30309

RE: **Stormwater Construction – Coastal Automatic Permit Coverage Notification**
46 & 36 DRIFTWOOD LANE WATER AND SEWER RELOCATION, Beaufort County
Notification No. 07-17-08-08

Dear Michael Halwig:

Based on your Notification to the Department and certification that this project will disturb 0.5 acres or less, is not part of a Larger Common Plan (LCP) for development or sale, and is located within 1/2 mile of a coastal receiving water, this project qualifies for automatic coverage under the NPDES General Permit for Storm Water Discharges from Large and Small Construction Activities. As indicated in your Notification disturbed area for this site is .4 acres.

Please note the following requirements of this notification:

1. This notification is only for the activity identified in Notification No. 07-17-08-08;
2. This notification does not constitute DHEC's approval of the stormwater management and sediment control plan. You are responsible for ensuring appropriate Best Management Practices are being used during construction activities.
3. You are responsible for ensuring your contractor complies with the site development plan prepared for this project.
4. You must obtain federal, state, or local permits that may be required for this project. In particular, if this project is located in an area of the state where a local government implements a stormwater program, such as an MS4, a permit may be required for this activity.
5. The Department does not regulate the placement of fill in floodplains. You must contact your local city or county official for such approvals; and
6. You are responsible for overall compliance with the Storm Water Management and Sediment Reduction Act of 1991, South Carolina Pollution Control Act and the Federal Clean Water Act.

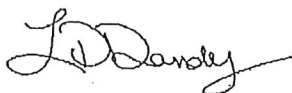
This project is subject to a Coastal Zone Consistency (CZC) determination from the Department's CZC Section and automatic permit coverage is not effective until this project has been determined consistent with the Coastal Zone Management Program (CZMP). This project may qualify for General Coastal Zone Consistency (GCZC). If needed, please visit www.scdhec.gov/environment/ocrm/czc for the GCZC and the GCZC request form to submit to the CZC Coordinator. If the project does not qualify for the GCZC the CZC Coordinator will inform you of other CZC process requirements.

Please note that the Department does not send a copy of this letter to any county or city building official. You must provide a copy of this letter to these agencies, as appropriate. Any future submittals to the Department for this project and/or this site, should reference this project/site name (as listed on the notification form), county, and assigned notification number (**Notification No. 07-17-08-08**).

The Department may conduct periodic inspections of this site to ensure compliance with all related requirements, including LCP status. Failure to comply with the site plan resulting in discharge of sediment to Waters of the State and/or adjacent properties may subject you to applicable penalties under the S. C. Pollution Control Act. Additional construction activities beyond the scope of this notification may require permit coverage.

If you have any questions, please call me at (843) 953-7809.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Devay Dandy". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

L. Devay Dandy, Permit Coordinator
Coastal Stormwater Permitting Section

ec: Penny Cornett - EQC Region - Region 8

From: Sororian, Fred <sororian.f@thomasandhutton.com>
Sent: Friday, December 8, 2017 11:51 AM
To: Scott Pinholster; 'Halwig'
Cc: 'Bev Noller'; Josey, J. Rene
Subject: Melrose

Dr. Halwig,
 I had a call from the new owner lawyer Ms. Robin Stanton asking about a permission to cross the golf course. I basically told her to contact Rene if she has any questions. Thanks,

FRED SORORIAN, PE | Project Engineer
THOMAS & HUTTON
 p 912-721-4128 m 912-547-3013
 e sororian.f@thomasandhutton.com
 a 50 Park of Commerce Way | Savannah, GA 31405
[vCard](#) | [Website](#) | [LinkedIn](#) | [Facebook](#) | [Twitter](#) | [Instagram](#)

PRIVILEGED AND CONFIDENTIAL: This electronic message and any attachments are confidential property of Thomas & Hutton. The information is intended only for the use of the person to whom it is addressed. Any other interception, copying, accessing, or disclosure of this message is prohibited. If you have received this message in error, please immediately notify Thomas & Hutton and purge the message received. Do not forward this message without permission.

From: Scott Pinholster [mailto:scott@pinco.biz]
Sent: Friday, December 8, 2017 10:07 AM
To: 'Bev Noller' <bev.noller@gmail.com>; 'Halwig' <jmhalwigmd@aol.com>
Cc: Sororian, Fred <sororian.f@thomasandhutton.com>
Subject: RE: melrose

12-8-17

My guys were confronted yesterday by Kevin Roberts who stated he was owners rep. for the 2 homeowners on MartinAngel adjacent to the utility easement, and he also knew the new Golf Course owner. He stated we could not cross the course because it is private property and referenced legal action.

Spoke with Fred this morning and he told ya'll obtained the easement across the course.

We installed the 8" saddle & valve yesterday for the wet tap. And began spotting other buried lines and wires at other locations.

We have already installed one grinder station in the ground today.
 Pictures coming later.

We'll need 6 ferry tickets for Monday. At least 12 for the rest of the week.

Scott L. Pinholster



O (912) 963-2116

C (912) 398-0226

NOTICE ! This E-Mail was sent by PINCO. This message and/or attachments may contain privileged, confidential or proprietary information. If you are not an intended recipient, you must not read, open, print, save, act upon, interpret, etc. any of this message or contents. This E-Mail, contents, attachments, et al are only for the use of the intended recipient or entity. Please delete all and notify me of the erroneous receipt.

From: Scott Pinholster [<mailto:scott@pinco.biz>]

Sent: Thursday, December 7, 2017 4:57 PM

To: 'Bev Noller' <bev.noller@gmail.com>; 'Halwig' <jmhalwigmd@aol.com>

Cc: 'Sororian, Fred' <sororian.f@thomasandhutton.com>

Subject: melrose

12-7-17

Good afternoon,

Do either of you know the new owner of the Melrose Golf Course ?

Scott L. Pinholster



O (912) 963-2116

C (912) 398-0226

NOTICE ! This E-Mail was sent by PINCO. This message and/or attachments may contain privileged, confidential or proprietary information. If you are not an intended recipient, you must not read, open, print, save, act upon, interpret, etc. any of this message or contents. This E-Mail, contents, attachments, et al are only for the use of the intended recipient or entity. Please delete all and notify me of the erroneous receipt.

From: Stanton, Robin <RStanton@MCNAIR.NET>
Sent: Friday, December 8, 2017 1:07 PM
To: Josey, J. Rene
Subject: Daufuskie Golf Course

Rene,

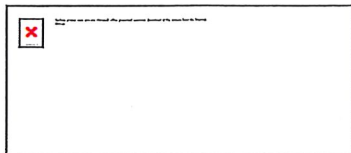
Thank you for the prompt return call today. As discussed on our call, my client, Odeon Singapore Limited ("Odeon"), holds the first lien mortgage on real estate located on Daufuskie Island, SC and presently owned in record title by F.I.G. Daufuskie 1, LLC, F.I.G. Beach Cottages, LLC, F.I.G. Beach Club, LLC, and Daufuskie Embarkment, LLC (together, the "Debtors"). My client is also the soon to be purchaser of the same property, pursuant to the Asset Purchase Agreement approved by the bankruptcy court, entered September 25, 2017, and recorded in the Beaufort County RMC Office.

It is my understanding that your client, Dr. Halwig, has recently started a construction project for water and sewer lines, which project includes work located on real property owned by one or more of the Debtors, and that Dr. Halwig has already commenced this construction project on the Debtors' real property without first obtaining permission from either the Debtors or the lien holder. I have asked you to relay to your client, their contractor, engineers, and anyone else involved in the project that Odeon has not granted permission or access to the property for such construction project and that all activity on property owned by the Debtors and subject to my client's mortgage should be immediately stopped and the property returned to its original condition.

I will forward additional correspondence on this matter this afternoon but wanted to send you this promptly to facilitate the communication to the relevant parties to immediately stop work, repair any damage, and vacate the Debtors' property.

Sincerely,

Robin



Robin C. Stanton

Shareholder
 rstanton@mcnair.net

McNair Law Firm, P.A.

Columbia Office 1221 Main Street | Suite 1800 | Columbia, SC 29201
 803 799 9800 Main | 803 933 1516 Fax
 Mailing Post Office Box 11390 | Columbia, SC 29211

[VCard](#) | [Bio URL](#) | [Website](#)

